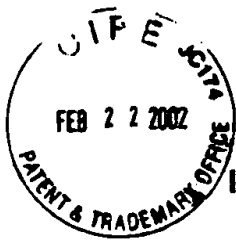


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GINALLY FILED

sector
#3. \$
PATENT

Attorney Docket No.: A-67209-5/RMS/DCF



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

WALT, et al.

Serial No. 09/840,012

Filed: April 20, 2001

For: FIBER OPTIC SENSOR WITH
ENCODED MICROSPHERES

) Examiner: Not Assigned

) Group Art Unit: 2874

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed
enclosures, is being deposited with the United States Postal Service
as First Class Mail in an envelope addressed to: Box Missing Parts,
Assistant Commissioner for Patents, Washington, DC 20231 on

98102
Signed: _____
Fern S. Marder

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Box Missing Parts
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is in response to the Notice to File Missing Parts of Nonprovisional
Application mailed August 9, 2001.

Applicant claims small entity status in accordance with 37 CFR 1.27.

Enclosed are the following documents:

- (1) Copy of Notice to File Missing Parts of Nonprovisional Application;

09840012-022202

- (2) Abstract;
- (3) Check for \$576.00 to cover the filing fee (\$370.00), 11 total claims over 20 (\$99.00), 1 independent claim over 3 (\$42.00), and the missing parts surcharge (\$65.00) for a small entity (all at post-October 1, 2001 rates);
- (4) Petition for Extension of Time (four months);
- (5) Check in the amount of \$720.00 to cover a four-month extension for a small entity;
- (6) Return receipt postcard.

The Commissioner is authorized to charge any fees, including extension fees, which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-67209-5/RMS/DCF).

It is believed that submission of the above serves to satisfy all of the requirements of the outstanding Notice of Missing Parts.

Respectfully submitted,

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP

Date: February 8, 2002

David C. Foster
David C. Foster, Reg. No. 44,685
Patent Agent for
Robin M. Silva, Reg. No. 38,304

Four Embarcadero Center
Suite 3400
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1074684

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/840,012	04/20/2001	David R. Walt	A-67209-5/RMS/DCF

CONFIRMATION NO. 5049

FORMALITIES LETTER



OC000000006403859

Robin M. Silva, Esq.
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400
Four Embarcadero Center
San Francisco, CA 94111-4187

Date Mailed: 08/09/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$139.
 - \$99 for 11 total claims over 20.
 - \$40 for 1 independent claims over 3.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 559.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).


02/28/2002 NMDHAMM1 00000091 09840012

02 FC:201
03 FC:203
04 FC:202
05 FC:205

270.00 DP
99.00 DP
42.00 DP
65.00 DP

A copy of this notice **MUST** be returned with the reply.

09840012-022220


Customer Service Center
Initial Patent Examination Division (703) 308-1202
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